



Order Filed on August 17, 2019
by Clerk U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

GIBBONS P.C.

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*Counsel to the Debtors
and Debtors-in-Possession*

In Re:
NEW ENGLAND MOTOR FREIGHT, INC., et al.,

Debtors.

Case No.: 19-12809 (JKS)
Chapter: 11
Judge: John K. Sherwood

**ORDER AUTHORIZING RETENTION
OF DELOITTE CONSULTING LLP TO ESTIMATE
INCURRED BUT NOT PAID MEDICAL AND DENTAL CLAIM LIABILITY**

The relief set forth on the following 2 pages is **ORDERED**

DATED: August 17, 2019



Honorable John K. Sherwood
United States Bankruptcy Court

Upon the applicant's request for authorization to retain Deloitte Consulting LLP to estimate incurred but not paid medical and dental claim liability, it is hereby ORDERED:

1. The applicant is authorized to retain the above party in the professional capacity noted.

The professional's address is: Deloitte Consulting LLP
111 S Wacker Dr.
Chicago, IL 60606

2. Compensation will be paid in such amounts as may be allowed by the Court on proper application(s).

3. If the professional requested a waiver as noted below, it is ☐ Granted ☐ Denied.

☐ Waiver, under D.N.J. LBR 2014-2(b), of the requirements of D.N.J. LBR 2016-1.

☐ Waiver, under D.N.J. LBR 2014-3, of the requirements of D.N.J. LBR 2016-1 in a chapter 13 case. Payment to the professional may only be made after satisfactory completion of services.

4. The effective date of retention is the date the application was filed with the Court.

5. The Debtors shall indemnify Deloitte Consulting LLP under the terms of the Engagement Agreement, except to the extent set forth below with respect to services performed thereunder prior to the effective date of any plan of the Debtors:

(a) Deloitte Consulting LLP shall not be entitled to indemnification, contribution or reimbursement pursuant to the Engagement Agreement for services other than the services provided under the Engagement Agreement, unless such services and the indemnification, contribution or reimbursement therefore are approved by the Court;

(b) Notwithstanding any provision of the Engagement Agreement to the contrary, the Debtors shall have no obligation to indemnify or provide contribution or reimbursement to Deloitte Consulting LLP for any claim or expense that is either (i) judicially determined (the determination having become final) to have arisen from Deloitte Consulting LLP's gross negligence, fraud, breach of fiduciary duty (if any), bad faith, self-dealing, or willful misconduct, (ii) for a contractual dispute in which the Debtors allege the breach of Deloitte Consulting LLP's contractual obligations, unless the Court determines that indemnification, contribution or reimbursement would be permissible pursuant to *In re United Artists Theatre Company, et al.*, 315 F.3d 217 (3d Cir. 2003); or

(iii) settled prior to a judicial determination as to the exclusions set forth in clauses (i) and (ii), but determined by this Court, after notice and a hearing, to be a claim or expense for which Deloitte Consulting LLP should not receive indemnity, contribution or reimbursement under the terms of the Engagement Agreement, as modified by this Order;

(c) If, before the earlier of (i) the entry of an order confirming a chapter 11 plan in this case (that order having become a final order no longer subject to appeal), and (ii) the entry of an order closing this chapter 11 case, Deloitte Consulting LLP believes that it is entitled to the payment of any amounts by the Debtors on account of the Debtors' indemnification, contribution or reimbursement obligations under the Engagement Agreement (as modified by this Order), including without limitation any advancement of defense costs, Deloitte Consulting LLP must file an application therefor in this Court, and the Debtors may not pay any such amounts to Deloitte Consulting LLP before the entry of an order by this Court approving any such payment. This subparagraph (c) is intended only to specify the period of time under which the Court shall have jurisdiction over any request by Deloitte Consulting LLP for indemnification, contribution or reimbursement, and is not intended to limit the duration of the Debtors' obligations to indemnify or reimburse expenses of Deloitte Consulting LLP; and

(d) The limitation on liability set forth in section 6(a) of the general business terms of the Engagement Agreement shall be deemed eliminated.

In re:
New England Motor Freight, Inc.
Debtor

Case No. 19-12809-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 4
Total Noticed: 9

Date Rcvd: Aug 19, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 21, 2019.

db +New England Motor Freight, Inc., 1-71 North Ave E, Elizabeth, NJ 07201-2958
aty #+Brent C. Strickland, Whiteford, Taylor & Preston L.L.P., 7501 Wisconsin Avenue, Suite 700W,
Bethesda, MD 20814-6521
aty +Deloitte Consulting LLP, 111 S Wacker Dr, Chicago, IL 60606-4396
aty +Gibbons, P.C., One Gateway Center, Newark, NJ 07102-5321
aty Howard A. Cohen, Gibbons P.C., 300 Delaware Avenue, Suite 1015, Wilmington, DE 19801-1671
aty Jeffrey L. Nagel, Gibbons P.C., One Pennsylvania Plaza, 37th Floor,
New York, NY 10119-3701
aty +Todd M. Brooks, Whiteford, Taylor & Preston L.L.P., 7 St. Paul Street, Suite 1500,
Baltimore, MD 21202-1636
aty +WASSERMAN, JURISTA & STOLZ, P.C., 110 Allen Road, Suite 304,
Basking Ridge, NJ 07920-4500
aty +Whiteford Taylor & Preston, Seven Saint paul St. Ste 1800, Baltimore, MD 21202-1639

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 21, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 19, 2019 at the address(es) listed below:

Alan J. Brody on behalf of Creditor JP Morgan Chase brody@gtlaw.com, NJLitDock@gtlaw.com
Andrew R. Turner on behalf of Defendant Protective Insurance Company courts@turnerlaw.net
Andrew R. Turner on behalf of Interested Party Protective Insurance Company
courts@turnerlaw.net
Anthony Sodono, III on behalf of Defendant Shauna Jones asodono@msbnj.com
Anthony Sodono, III on behalf of Creditor Jalil Walters asodono@msbnj.com
Anthony Sodono, III on behalf of Creditor Mercedes Benz Financial Services USA LLC
asodono@msbnj.com
Anthony Sodono, III on behalf of Creditor Rasheeda Carter asodono@msbnj.com
Anthony Sodono, III on behalf of Creditor Shauna Jones asodono@msbnj.com
Anthony Sodono, III on behalf of Defendant Jalil Waters and Rashida Carter asodono@msbnj.com
Beth J. Rotenberg on behalf of Creditor Berkley Insurance Company brotenberg@csglaw.com,
ecf@csglaw.com
Blake D. Roth on behalf of Creditor Bridgestone Americas Tire Operations, LLC
blake.roth@wallerlaw.com,
chris.cronk@wallerlaw.com;deborah.liles@wallerlaw.com;katie.stenberg@wallerlaw.com
Brett Steven Theisen on behalf of Plaintiff New England Motor Freight, Inc.
btheisen@gibbonslaw.com
Brett Steven Theisen on behalf of Debtor New England Motor Freight, Inc.
btheisen@gibbonslaw.com
Brian Glass on behalf of Interested Party PA Department of Environmental Protection
briaglass@pa.gov, verkanova@pa.gov
Brian W. Hofmeister on behalf of Creditor Larry L. Banks bwh@hofmeisterfirm.com
Catherine L. Corey on behalf of Creditor East River Energy, Inc, clcorey@nmmlaw.com
Chad J. Toms on behalf of Debtor New England Motor Freight, Inc. ctoms@wtplaw.com
Christopher Lynch on behalf of Creditor Fifth Third Bank clynch@reedsmith.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Christopher John Leavell on behalf of Interested Party Class Plaintiffs at al
cleavell@klehr.com, lclark@klehr.com
Christopher John Leavell on behalf of Plaintiff Mary Carlin cleavell@klehr.com,
lclark@klehr.com
Christopher John Leavell on behalf of Plaintiff Dan Webster cleavell@klehr.com,
lclark@klehr.com
Daniel Stolz on behalf of Debtor New England Motor Freight, Inc. dstolz@wjslaw.com,
dstolz@ecf.inforuptcy.com/msousa@wjslaw.com/btorres@ecf.inforuptcy.com
David Edelberg on behalf of Creditor McIntosh Energy Company dedelberg@cullenanddykman.com,
edelbergdr82964@notify.bestcase.com
David A. Pisciotta on behalf of Creditor Santander Bank, N.A.
david.pisciotta@troutmansanders.com, john.murphy@troutman.com/alissa.piccione@troutman.com
David V. Fontana on behalf of Creditor TD Bank, N.A. dfont@gebsmith.com,
ltancredi@gebsmith.com;klusby@gebsmith.com
Deirdre E. Burke on behalf of Creditor Capital One, N.A. dburke@mccarter.com
Denise A Kuhn on behalf of Creditor Dept. of Revenue Commonwealth of Pennsylvania, department
of revenue dkuhn@attorneygeneral.gov
Donald W Clarke on behalf of Debtor New England Motor Freight, Inc. dclarke@wjslaw.com,
dclarke@ecf.inforuptcy.com
Douglas J. McGill on behalf of Creditor Pilot Thomas Logistics LLC dmcgill@webbermcgill.com,
mlynch@webbermcgill.com
Douglas T Tabachnik on behalf of Defendant Rita Alvarado dtabachnik@dttlaw.com,
rdalba@dttlaw.com
Douglas T Tabachnik on behalf of Creditor to Rita Alvarado The Rosato Firm, P.C., counsel
dtabachnik@dttlaw.com, rdalba@dttlaw.com
Eric Goldstein on behalf of Creditor United HealthCare Services, Inc. egoldstein@goodwin.com,
bankruptcy@goodwin.com/bankruptcyparalegal@goodwin.com
Evan S. Goldstein on behalf of Creditor Webster Capital Finance, Inc. egoldstein@uks.com
Frank Peretore on behalf of Creditor Wells Fargo Equipment Finance, Inc. fperetore@csglaw.com
Gail C. Lin on behalf of Plaintiff Alice Waters GL@outtengolden.com,
jxh@outtengolden.com;jar@outtengolden.com;rsr@outtengolden.com;kdeleon@outtengolden.com;squinonez
@outtengolden.com;tloughran@outtengolden.com
Gail C. Lin on behalf of Plaintiff Rich Richardson GL@outtengolden.com,
jxh@outtengolden.com;jar@outtengolden.com;rsr@outtengolden.com;kdeleon@outtengolden.com;squinonez
@outtengolden.com;tloughran@outtengolden.com
Gary D. Bressler on behalf of Creditor Mack Trucks, Inc. gbressler@mdmc-law.com,
kdeans@mdmc-law.com;kpatterson@mdmc-law.com;dprimack@mdmc-law.com;bkleban@mdmc-law.com
Gary D. Bressler on behalf of Creditor VFS US LLC gbressler@mdmc-law.com,
kdeans@mdmc-law.com;kpatterson@mdmc-law.com;dprimack@mdmc-law.com;bkleban@mdmc-law.com
Gary D. Bressler on behalf of Creditor Volvo Financial gbressler@mdmc-law.com,
kdeans@mdmc-law.com;kpatterson@mdmc-law.com;dprimack@mdmc-law.com;bkleban@mdmc-law.com
Jacob Frumkin on behalf of Interested Party Great Dane LLC jfrumkin@coleschotz.com
JoAnne M. Bonacci on behalf of Creditor RLI Insurance Company jbonacci@dbplawfirm.com
John F. Bracaglia, Jr. on behalf of Interested Party Orange and Rockland Utilities, Inc.
brokaw@centraljerseylaw.com
John Phillip Schneider on behalf of Creditor Committee Official Committee Of Unsecured
Creditors JPSchneider@mdmc-law.com
John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company
LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com
Joseph Lubertazzi, Jr. on behalf of Creditor Capital One, N.A. jlubertazzi@mccarter.com
Joseph J. DiPasquale on behalf of Creditor Committee Official Committee Of Unsecured
Creditors jdipasquale@lowenstein.com
Joseph J. McMahon, Jr. on behalf of Creditor Pilot Travel Centers LLC jmcMahon@ciardilaw.com,
jclarke@ciardilaw.com
Joseph L. Schwartz on behalf of Creditor Lucky's Energy Service, Inc. jschwartz@riker.com
Justin W. Gray on behalf of Creditor Anthony McNeil gray@maynardoconnorlaw.com,
Sweeney@moscllp.com
Justin W. Gray on behalf of Defendant Angela Evans, Individually & as Parent & Natural
Guardian of E Evans, an Infant gray@maynardoconnorlaw.com, Sweeney@moscllp.com
Justin W. Gray on behalf of Creditor Angela Evans gray@maynardoconnorlaw.com,
Sweeney@moscllp.com
Justin W. Gray on behalf of Creditor Daniel Rinaldi gray@maynardoconnorlaw.com,
Sweeney@moscllp.com
Justin W. Gray on behalf of Creditor Daniel Murtha gray@maynardoconnorlaw.com,
Sweeney@moscllp.com
Justin W. Gray on behalf of Creditor Janice A. Goodall gray@maynardoconnorlaw.com,
Sweeney@moscllp.com
Karen A. Giannelli on behalf of Debtor NEMF Logistics, LLC kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff NEMF World Transport, Inc. kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Carrier Industries, Inc. kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Apex Logistics, Inc. kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Myar, LLC kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Carrier Industries, Inc. kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Myar, LLC kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff NEMF Logistics, LLC kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor NEMF World Transport, Inc. kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff United Express Solar, LLC kgianelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Jans Leasing Corp. kgianelli@gibbonslaw.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Karen A. Giannelli on behalf of Other Prof. Donlin, Recano & Company, Inc.
kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Eastern Freight Ways, Inc. kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Hollywood Avenue Solar, LLC
kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor New England Motor Freight, Inc.
kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Hollywood Avenue Solar, LLC kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Apex Logistics, Inc. kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff MyJon, LLC kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor MyJon, LLC kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff Jans Leasing Corp. kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor Eastern Freight Ways, Inc. kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Debtor United Express Solar, LLC kgiannelli@gibbonslaw.com
Karen A. Giannelli on behalf of Plaintiff New England Motor Freight, Inc.
kgiannelli@gibbonslaw.com
Kate R. Buck on behalf of Creditor Potomac Edison Company, Toledo Edison Company and West
Penn Power Company kbuck@mccarter.com
Kate R. Buck on behalf of Creditor Connecticut Light & Power Company, NStar Western
Massachusetts, Yankee Gas Services Company, Colonial Gas Company, KeySpan Energy Delivery Long
Island, Narragansett Electric Company and Niagara Mohawk kbuck@mccarter.com
Kenneth L. Baum on behalf of Creditor Clermont Holdings, LLC kbaum@kenbaumdebtsolutions.com,
fpisano@coleschotz.com
Keri P. Ebeck on behalf of Creditor Guttman Energy, Inc. kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Kevin Gordon McDonald on behalf of Creditor VW Credit Leasing, Ltd. kmcdonald@kmlawgroup.com,
bkgroup@kmlawgroup.com
Kevin M. Capuzzi on behalf of Interested Party Amazon.com Services, Inc., formerly Amazon
Fulfillment Services, Inc. kcapuzzi@beneschlaw.com, debankruptcy@beneschlaw.com
Louis A. Curcio on behalf of Creditor Santander Bank, N.A. louis.curcio@troutmansanders.com,
John.Murphy@troutmansanders.com;jonathan.forstot@troutmansanders.com;david.pisciotta@troutmansand
ers.com
Mark Platt on behalf of Creditor Omnitrac, LLC mplat@fbtlaw.com
Mark B Conlan on behalf of Defendant New England Motor Freight, Inc., et al.
mconlan@gibbonslaw.com
Mark B Conlan on behalf of Debtor New England Motor Freight, Inc. mconlan@gibbonslaw.com
Mark B Conlan on behalf of Plaintiff New England Motor Freight, Inc. mconlan@gibbonslaw.com
Mary E. Seymour on behalf of Creditor Committee Official Committee Of Unsecured Creditors
mseymour@lowenstein.com, echafetz@lowenstein.com
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pfreda@nmmlaw.com
Michael D. Sirota on behalf of Interested Party Great Dane LLC msirota@coleschotz.com,
fpisano@coleschotz.com
Michael R. Caruso on behalf of Creditor Wells Fargo Equipment Finance, Inc.
mcaruso@csglaw.com, ecf@csglaw.com
Morris S. Bauer on behalf of Creditor East River Energy, Inc, msbauer@nmmlaw.com,
rjacome@norris-law.com,relkens@nmmlaw.com
Norman N Kinel on behalf of Interested Party East West Bank norman.kinel@sqirepb.com,
sarah.conley@sqirepb.com;elliott.smith@sqirepb.com
Peter M. Knob on behalf of Creditor Capital One, N.A. pknob@mccarter.com,
lrestivo@mccarter.com
Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
Rene S. Roupinian on behalf of Plaintiff Rich Richardson rsr@outtengolden.com
Rene S. Roupinian on behalf of Plaintiff Alice Waters rsr@outtengolden.com
Richard Albuquerque on behalf of Creditor MICHAEL SINGLEY richarda@djdlawyers.com
Richard S. Kanowitz on behalf of Unknown Role Type Ad Hoc Group of Tort Claimants
rkanowitz@cooley.com, mklein@cooley.com;jindyke@cooley.com;efiling-notice@ecf.pacerpro.com
Rick Aaron Steinberg on behalf of Creditor TOTE Maritime rsteinberg@pricemeese.com
Robert A. Burke on behalf of Defendant Jenny Munson Andress, individually and as the
Administratrix of the Estate of Herbert Andress rburke@macelree.com
Robert E. Nies on behalf of Creditor Berkley Insurance Company rnies@csglaw.com
Robert K. Scheinbaum on behalf of Creditor New Jersey Manufacturers
rscheinbaum@connellfoley.com
Robert K. Scheinbaum on behalf of Defendant New Jersey Manufacturers Insurance Company a/s/o
Phyllis A. Troy rscheinbaum@connellfoley.com
Rona J. Rosen on behalf of Creditor WARN Act Class Plaintiffs and Putative Class
cbbutler@klehr.com, cbbutler@klehr.com
Sari Blair Placona on behalf of Defendant Jalil Waters and Rashida Carter splacona@msbnj.com
Sari Blair Placona on behalf of Defendant Shauna Jones splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Rasheeda Carter splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Interstate Towing Recovery Incorporated
splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Mercedes Benz Financial Services USA LLC
splacona@msbnj.com
Sari Blair Placona on behalf of Defendant DARYL MARTIN AND KIM MARTIN splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Shauna Jones splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Daryl & Kim Martin splacona@msbnj.com
Sari Blair Placona on behalf of Creditor Jalil Walters splacona@msbnj.com

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Scott J. Freedman on behalf of Creditor Corcentric, LLC sfreedman@dilworthlaw.com
Seoung Y. Lim on behalf of Creditor Pantos USA, Inc. joshualim@kccllawfirm.com,
denisemoreno@kccllawfirm.com,seankwak@kccllawfirm.com,jpark@kccllawfirm.com
Stephen B. Ravin on behalf of Creditor Riggins, Inc. sravin@saull.com, jgillman@saull.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
Virginia T. Shea on behalf of Creditor VFS US LLC vshea@mdmc-law.com,
sshidner@mdmc-law.com;mtaranto@mdmc-law.com
Virginia T. Shea on behalf of Creditor Volvo Financial vshea@mdmc-law.com,
sshidner@mdmc-law.com;mtaranto@mdmc-law.com
Warren Scott Gottlieb on behalf of Defendant Consolidated Edison Company of New York, Inc.
wgottlieb@golawllp.com

TOTAL: 122